

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2008-150364-001 DT

09/16/2009

HON. SALLY S. DUNCAN

CLERK OF THE COURT  
M. Cabral  
Deputy

STATE OF ARIZONA

MANUEL DESI RUBALCABA

v.

JOHN BACON (001)

STEVE B KOESTNER

APO-PLEAS-CCC  
VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY  
DAY NINE (9)

10:30 a.m. LET THE RECORD REFLECT that the jury is all present in the jury room and resume their deliberations from September 15, 2009.

1:07 p.m. IN CHAMBERS. The State is represented by Desi Rubalcaba. Defendant is not present but is represented by Steve Koestner. Counsel appear telephonically.

Court reporter, Scott Kindle, is present.

Defendant's presence is waived for this proceeding.

LET THE RECORD REFLECT that the Court has received a note from the Jury. Same is discussed and a written response submitted to the Jury.

1:15 p.m. IN CHAMBERS RECESS.

4:32 p.m. Court reconvenes with the Defendant and respective counsel present.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2008-150364-001 DT

09/16/2009

Court reporter, Scott Kindle, is present.

The jury is all present in the jury box and by their foreperson return into Court their verdict, which is read and recorded by the Clerk and is as follows:

"We, the jury, duly empanelled and sworn in the above-entitled action, and upon our oaths, unanimously do find the Defendant, John Robert Bacon, on the charge of "Second Degree Murder" as follows: Guilty

We, the jury, unanimously find that Defendant, John Robert Bacon: Did commit a 'dangerous offense.'

Signed by the Foreperson No. 8."

The jury replies this is their true verdict.

At the request of Defense counsel, the Jury is polled, and each juror replies that this is his or her true verdict.

4:35 p.m. The jury is excused from further consideration of this cause.

IT IS ORDERED setting time for entry of judgment of guilt and sentencing on **October 16, 2009 at 3:30 p.m. (time allotted: 1 hour)** in this division.

IT IS FURTHER ORDERED that a presentence investigation and report be made and that the Defendant shall immediately report to the Adult Probation Department, if not in custody.

IT IS FURTHER ORDERED pursuant to Rule 7.2(b), remanding the Defendant into the custody of the sheriff pending sentencing.

ISSUED: Order of Confinement.

LET THE RECORD REFLECT that the large diagrams (State's Exhibit 1, 2, and 3) are returned to counsel for the State and counsel for the State provides the clerk a smaller version of State's Exhibits 1, 2 and 3.

4:40 p.m. Trial concludes.

FILED: Jury Note/Response; Verdict; Exhibit Worksheet/Release; Trial Worksheet;

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2008-150364-001 DT

09/16/2009

Pursuant to the verdict entered, and there being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

ISSUED: Exhibit Release Form.